

1 RYAN D. RUSSELL, ESQ.  
Nevada State Bar No. 8646  
2 ALIDA C. MOONEY, ESQ.  
Nevada State Bar No. 16282  
3 **ALLISON MacKENZIE, LTD.**  
402 N. Division Street  
4 P.O. Box 646  
Carson City, NV 89702  
5 Telephone: (775) 687-0202  
Facsimile: (775) 882-7918  
6 [rrussell@allisonmackenzie.com](mailto:rrussell@allisonmackenzie.com)  
[amooney@allisonmackenzie.com](mailto:amooney@allisonmackenzie.com)

7 Attorneys for Defendants,  
8 Battle Born Home Health, LLC.,  
and Jessica Conant  
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10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**  
12

13 MISSION HEALTHCARE SERVICES, LLC, a  
14 California limited liability company; and  
15 HEALTHY LIVING AT HOME-CARSON  
CITY LLC, a Nevada Limited Liability  
16 Company

17 Plaintiffs,

18 vs.

19 BATTLE BORN HOME HEALTH, LLC, a  
Nevada limited liability company; JESSICA  
20 CONNANT (CRISP), an individual; ANGEL  
VASQUEZ BARNES, an individual; and  
21 JOSEPH BARNES, an individual,

22 Defendants.

23 COMES NOW, Defendants, BATTLE BORN HOME HEALTH, LLC (“BBHH”) and  
JESSICA CONANT (“Ms. Conant”) and Defendants ANGEL VASQUEZ BARNES and JOSEPH  
24 BARNES (the “Barnes Defendants”, and together with Ms. Conant and BBHH, the “Defendants”),  
25 and Plaintiffs, MISSION HEALTHCARE SERVICES, LLC and HEALTHY LIVING AT HOME-  
26 CARSON CITY (“Plaintiffs”, and together with Defendants, the “Parties”), by and through their  
27 respective counsels, who hereby stipulate as follows:  
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**Case No. 3:22-CV-00333-LRH-CLB**  
**ORDER ADOPTING AMENDED**  
**STIPULATION TO EXTEND**  
**DISCOVERY DEADLINES**

ALLISON MacKENZIE, LTD.  
402 North Division Street, P.O. Box 646, Carson City, NV 89702  
Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

**A. STATEMENT OF DISCOVERY COMPLETED**

1 Initial Disclosures have been served by all parties.

2 All parties have each propounded one round of written discovery on Plaintiffs'  
3 claims. This includes the following:

4 a. Plaintiffs have served one set of interrogatories and requests for  
5 production of documents to each Defendant, to which each Defendant has responded.

6 b. Ms. Conant and BBHH have served one set of interrogatories, requests  
7 for admission, and requests for production of documents on Plaintiffs, to which Plaintiffs have  
8 responded, and provided supplemental responses to on May 10, 2023.

9 c. The Barnes Defendants have each served one set of interrogatories,  
10 requests for admission, and requests for production of documents on each Plaintiff, to which Plaintiffs  
11 have responded, and provided supplemental responses to on May 10, 2023.

**B. STATEMENT OF DISCOVERY REMAINING**

12 3. The Parties anticipate that additional discovery on Plaintiffs' claims is necessary,  
13 and that additional discovery will be needed on any counterclaims that may be asserted by the  
14 Defendants in this action. This includes:

15 a. Additional rounds of interrogatories, requests for production and  
16 supplemental disclosures;

17 b. Depositions of witnesses, including the parties;

18 c. Expert discovery, including disclosures and depositions;

19 d. Third-party discovery, including possible subpoenas duces  
20 tecum to percipient witnesses  
21

**C. REASONS DISCOVERY CAN NOT BE COMPLETED**

22 4 Ms. Conant and BBHH filed their Motion to Dismiss, or in the alternative,  
23 Motion for a More Definite Statement (the "BBHH MTD") on October 3, 2022 (ECF No. 19).

24 5. The Barnes Defendants filed their Motion to Dismiss, or in the alternative,  
25 Motion for a More Definite Statement (the "Barnes MTD") on October 14, 2022 (ECF No. 25).  
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28

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6. Plaintiffs filed their Opposition to the BBHH MTD and the Barnes MTD on November 23, 2022 (ECF No. 25).

7. BBHH filed its reply in Support of the BBHH MTD on December 13, 2022 (ECF No. 39) and the Barnes Defendants filed their Reply in Support of the Barnes MTD on December 14, 2023 (ECF No. 40).

8. The Barnes Defendants, Ms. Conant, and BBHH have each expressed that they anticipate filing counterclaims after the resolution of the Barnes MTD and BBHH MTD.

9. On January 9, 2023, the Court adopted and entered the Parties Stipulated Discovery Plan and Scheduling Order (ECF No. 46).

10. On February 22, 2023, the Court granted Plaintiffs, Ms. Conant, and BBHH's Joint Motion to Extend Deadlines (ECF No. 52).

11. The current discovery cutoff date is August 11, 2023.

12. The deadline for amending pleadings and adding parties is May 15, 2023.

13. The deadline for disclosing expert witnesses is May 15, 2023.

14. Because neither the Barnes MTD nor the BBHH MTD have been resolved and no counterclaims have been filed, the Parties believe and stipulate that it is premature for any party to disclose expert witnesses.

15. Good cause therefore exists to extend the time to extend the deadline for Fed. R. Civ. P. 26(a)(2) disclosures until June 15, 2023.

16. The Parties continue to believe that additional time will be needed pending the outcome of the motions and that this deadline and all deadlines will need to be re-visited after the rulings on the Barnes MTD and the BBHH MTD, and, after all counterclaims have been asserted, any Rule 12 motions related to those counterclaims have been resolved.

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**D. PROPOSED DISCOVERY SCHEDULE**

17. The proposed schedule for the remaining discovery is as follows<sup>1</sup>:

	<b>Current Deadline</b>	<b>Amended Deadline</b>
Discovery cutoff Date	August 11, 2023	August 11, 2023
Deadline to Amend Pleadings and Add Parties	May 15, 2023	May 15, 2023
Fed. R. Civ. P. 26(a)(2) Disclosures (Experts)	May 15, 2023	June 15, 2023
Rebuttal Expert Disclosures	June 14, 2023	July 17, 2023
Dispositive Motions	September 11, 2023	September 11, 2023
Joint Pretrial Order	October 10, 2023	October 10, 2023
Interim Status Report	June 13, 2023	June 13, 2023

18. This is the second request to extend this deadline.

19. This stipulation is made in good faith and not in an attempt to delay proceedings.

**IT IS SO STIPULATED**

Dated this 12th day of May, 2023.

/s/ Ryan D. Russell

Ryan D. Russell, Esq.  
Nevada State Bar No. 8646  
Alida C. Mooney, Esq.  
Nevada State Bar No. 16282  
ALLISON MACKENZIE, LTD.  
402 N. Division Street, P.O. Box 646  
Carson City, Nevada 89702

*Attorneys for Battle Born Home Health, LLC and Jessica Conant*

<sup>1</sup> The Parties only propose changes to the deadlines for Fed. R. Civ. P. 26(a)(2) and rebuttal expert disclosures.

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Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

/s/ John R. Funk  
John R. Funk, Esq.  
Nevada State Bar No. 12372  
GUNDERSON LAW FIRM  
3895 Warren Way  
Reno, Nevada 89509

*Attorneys for Angel Vasquez Barnes and Joseph Barnes*

/s/ Kody L. Condos  
Gregory M. Saylin, Esq. (Utah Bar No. 9648)  
(Pro Hac Vice pending)  
Kody L. Condos, Esq. (Utah Bar No. 17186)  
(Admitted Pro Hac Vice)  
HOLLAND & HART LLP  
222 S. Main Street, 22nd Floor  
Salt Lake City, UT 84101

Sydney R. Gambee, Esq. (NSB 14201)  
HOLLAND & HART LLP  
9555 Hillwood Drive, 2nd Floor  
Las Vegas, Nevada 89134

*Attorneys for Plaintiffs Mission Healthcare Services, LLC and Health Living at Home – Carson City, LLC*

**ORDER**

**IT IS SO ORDERED.** The deadline for Fed. R. Civ. P. 26(a)(2) disclosures is extended to June 15, 2023.

DATED this 15th day of May 2023

  
UNITED STATES MAGISTRATE JUDGE